



IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 29-04-2026 :::: PRONOUNCED ON : 05.06.2026

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THE HON'BLE MR.JUSTICE K.KUMARESH BABU

**CRP Nos. 885, 886, 1224, 1225, 1226, 1142,
1143, 1144, 1055, 1056 & 1057 of 2016**

and

**CMP Nos. 5865, 6282, 6284, 6703, 6283, 4857,
6704, 4858, 5863, 6705 & 5864 of 2016**

CRP No. 885 of 2016:-

1. Mr.J.Vinoth
2. Mr.A.Jayaraj (died)
3. J. Malarkodi
4. J. Gifrina
5. J.Charles Boss

[PP3 To 5 brought on record as LRs of deceased P2 Vide Order Of Court dated 2/4/2026 made in CMP. Sr.16323/2022 In CRP.885/2016(KBJ)]

..Petitioner(s)

Vs.

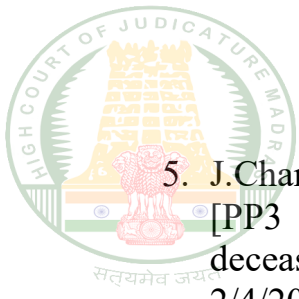
Mr.Bhajandas Ramchand, HUF,
A Hindu Undivided Family
Rep by its Manager And Kartha, Ashok Ahuja
No.49, College Rd, Chennai 600 006.

..Respondent(s)

This petition against the decretal order and order dated 16.12.2015 passed in I.A. No. 17051 of 2015 in O.S. No. 4204 of 2015 on the file of XII Assistant Judge, City Civil Court, Chennai.

CRP No. 886 of 2016:-

1. Mr.J.Vinoth
2. Mr.A.Jayaraj (died)
3. J. Malarkodi
4. J. Gifrina



5. J.Charles Boss

[PP3 To 5 brought on record as LR's of deceased P2 Vide Order Of Court dated 2/4/2026 made in CMP. Sr.16325/2022 In CRP.886/2016(KBJ)]

..Petitioner(s)

Vs.

Mr.R.Vinayachand, HUF,
A Hindu Undivided Family
Rep by its Manager And Kartha, R.Vinaychand
No.191, Ethiraj Salai, No.701, Shivalaya Buildings
'A' Block, 7th Floor, Egmore, Chennai-600008.

..Respondent(s)

This petition against the decretal order and order dated 16.12.2015 passed in I.A. No. 17052 of 2015 in O.S. No. 4205 of 2015 on the file of XII Assistant Judge, City Civil Court, Chennai.

CRP No. 1224 of 2016:-

1. Mr.J.Vinoth
2. Mr.A.Jayaraj (died)
3. J. Malarkodi
4. J. Gifrina
5. J.Charles Boss

[PP3 To 5 brought on record as LR's of deceased P2, viz., A.Jayaraj, vide Court order dated 28.07.2022 made in CMP. 6176/2022 in CRP.1224/2016(KBJ)]

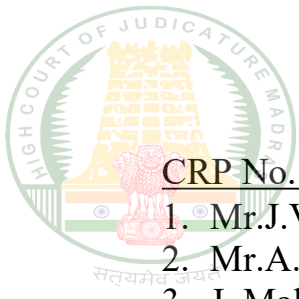
..Petitioner(s)

Vs.

Mr.Prashant L.Mehra,
Old No.4A, New No.7, Haddows Road
Shree Apartments, II Floor, Chennai-600006.

..Respondent(s)

This petition against the decretal order and order dated 16.12.2015 passed in I.A. No. 17048 of 2015 in O.S. No. 4201 of 2015 on the file of XII Assistant Judge, City Civil Court, Chennai.



CRP No. 1225 of 2016:-

1. Mr.J.Vinoth
2. Mr.A.Jayaraj (died)
3. J. Malarkodi
4. J. Gifrina
5. J.Charles Boss

[PP3 To 5 brought on record as LR's of deceased P2, viz., A.Jayaraj, vide Court order dated 28.07.2022 made in CMP. 6179/2022 in CRP.1225/2016(KBJ)]

..Petitioner(s)

Vs

Mrs.Vinita S.Wadhwa,
No.511, Shivalaya Buildings
No.171, Ethiraj Salai, Egmore
Chennai-600008.

..Respondent(s)

This petition against the decretal order and order dated 16.12.2015 passed in I.A. No. 17049 of 2015 in O.S. No. 4202 of 2015 on the file of XII Assistant Judge, City Civil Court, Chennai.

CRP No. 1226 of 2016:-

1. Mr.J.Vinoth
2. Mr.A.Jayaraj (died)
3. J. Malarkodi
4. J. Gifrina
5. J.Charles Boss

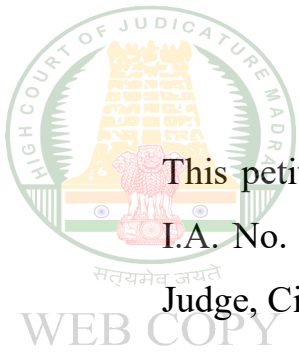
[PP3 To 5 brought on record as LR's of deceased P2, viz., A.Jayaraj, vide Court order dated 28.07.2022 made in CMP. 6182/2022 in CRP.1226/2016(KBJ)]

..Petitioner(s)

Vs

Mrs.Sneha Wadhwa,
No.511, Shivalaya Buildings
No.171, Ethiraj Salai, Egmore
Chennai-600008.

..Respondent(s)



This petition against the decretal order and order dated 16.12.2015 passed in I.A. No. 17050 of 2015 in O.S. No. 4203 of 2015 on the file of XII Assistant Judge, City Civil Court, Chennai.

CRP No. 1142 of 2016:-

1. Mr.J.Vinoth
 2. Mr.A.Jayaraj (died)
 3. J. Malarkodi
 4. J. Gifrina
 5. J.Charles Boss
- [PP3 To 5 brought on record as LRs of deceased P2, viz., A.Jayaraj, vide Court order dated 02.04.2026 made in CMP. 6175/2022 in CRP.1142/2016(KBJ)]

..Petitioner(s)

Vs

Mr.M.Vinod Kumar

..Respondent(s)

This petition against the decretal order and order dated 16.12.2015 passed in I.A. No. 17042 of 2015 in O.S. No. 4195 of 2015 on the file of XII Assistant Judge, City Civil Court, Chennai.

CRP No. 1143 of 2016:-

1. Mr.J.Vinoth
 2. Mr.A.Jayaraj (died)
 3. J. Malarkodi
 4. J. Gifrina
 5. J.Charles Boss
- [PP3 To 5 brought on record as LRs of deceased P2, viz., A.Jayaraj, vide Court order dated 02.04.2026 made in CMP. 6172/2022 in CRP.1143/2016(KBJ)]

..Petitioner(s)

Vs

Mr.Deepak Madhavdas

..Respondent(s)



This petition against the decretal order and order dated 16.12.2015 passed in I.A. No. 17043 of 2015 in O.S. No. 4196 of 2015 on the file of XII Assistant Judge, City Civil Court, Chennai.

CRP No. 1144 of 2016:-

1. Mr.J.Vinoth
 2. Mr.A.Jayaraj (died)
 3. J. Malarkodi
 4. J. Gifrina
 5. J.Charles Boss
- [PP3 To 5 brought on record as LRs of deceased P2, viz., A.Jayaraj, vide Court order dated 02.04.2026 made in CMP. 6180/2022 in CRP.1144/2016(KBJ)]

..Petitioner(s)

Vs

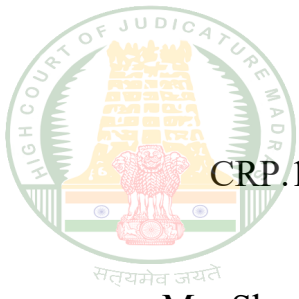
Mr.Aalok Kumar Surana, HUF
A Hindu Undivided Family
Rep by its Manager and Kartha
Aalok Kumar Surana
8C, Uma Complex, 39, Balfour Road
Kellys, Chennai – 600010.

..Respondent(s)

This petition against the decretal order and order dated 16.12.2015 passed in I.A. No. 17044 of 2015 in O.S. No. 4197 of 2015 on the file of XII Assistant Judge, City Civil Court, Chennai.

CRP No. 1055 of 2016:-

1. Mr.J.Vinoth
 2. Mr.A.Jayaraj (died)
 3. J. Malarkodi
 4. J. Gifrina
 5. J.Charles Boss
- [PP3 To 5 brought on record as LRs of deceased P2, viz., A.Jayaraj, vide Court order dated 28.07.2022 made in CMP. 6161/2022 in



CRP.1055/2016(KBJ)]

..Petitioner(s)

Vs

..Respondent(s)

Mrs.Sharmila D.Jain

This petition against the decretal order and order dated 16.12.2015 passed in I.A. No. 17045 of 2015 in O.S. No. 4198 of 2015 on the file of XII Assistant Judge, City Civil Court, Chennai.

CRP No. 1056 of 2016:-

1. Mr.J.Vinoth
2. Mr.A.Jayaraj (died)
3. J. Malarkodi
4. J. Gifrina
5. J.Charles Boss

[PP3 To 5 brought on record as LRs of deceased P2, viz., A.Jayaraj, vide Court order dated 28.07.2022 made in CMP. 6160/2022 in CRP.1056/2016(KBJ)]

..Petitioner(s)

Vs

..Respondent(s)

Mr.Koushal D.Jain

This petition against the decretal order and order dated 16.12.2015 passed in I.A. No. 17046 of 2015 in O.S. No. 4199 of 2015 on the file of XII Assistant Judge, City Civil Court, Chennai.

CRP No. 1057 of 2016:-

1. Mr.J.Vinoth
2. Mr.A.Jayaraj (died)
3. J. Malarkodi
4. J. Gifrina
5. J.Charles Boss

[PP3 To 5 brought on record as LRs of deceased P2, viz., A.Jayaraj, vide Court order dated 28.07.2022 made in CMP. 6159/2022 in CRP.1057/2016(KBJ)]

..Petitioner(s)

Vs



Mrs.A.Madhu
No.511, Shivalaya Buildings
No.171, Ethiraj Salai, Egmore
Chennai-600008.

..Respondent(s)

For Petitioner(s) :

Mr.R.Ashraf Khan (in all CRPs)

For Respondent(s) :

Mr.T.Srikanth (in all CRPs)

COMMON ORDER

These Revision Petitions relate to the issue of a rejection of the leave to defend, and the reason to defend in all these Revisions are the same and hence, with the consent of counsels appearing on either side, these Revisions are taken up together.

2. The learned counsel appearing for the petitioners would submit that the respondents in the respective Revisions have instituted a summary suit for recovery of money in which the petitioners had taken out applications for leave to defend.

3. The primary reasons for grant of leave to defend is that at the time of borrowal from one J.Shamlal, he had obtained signatures on blank promissory notes and cheques from the petitioners and even after the payment of the said amount, he had failed to return the said cheques and promissory notes and had



instituted suits in the name of the certain other individuals demanding exorbitant interest.

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4. Pointing out these facts, the petitioners had preferred applications for leave to defend and the Court below, without considering the issues, which are very triable, had dismissed the applications. He would submit that the interest under the pro-note had been noted as 36% per annum. Whereas, it is only the nominal interest which could be realised and the same is in violation of the Money Lenders Act and the provisions of the Tamil Nadu Prohibition of Charging the Exorbitant Interest Act. Hence, he would submit that this Court may grant indulgence in setting aside the orders and direct the trial Court and the petitioners are also willing to abide by any conditions that may be imposed by this Court.

5. Countering his arguments, Mr.T.Srikanth, learned counsel appearing on behalf of the respondents in all these Revision Petitions would submit that there are no triable issues as claimed by the petitioners. He would submit that the petitioners had in fact approached the designated Court under the provisions of the Tamil Nadu Prohibition of Charging the Exorbitant Interest Act and had taken out applications wherein they had admitted the receipt of the amount under the pro-notes and issuance of cheque. They had only made a claim that interest component was exorbitant and that the respondent had collected more



interest than the principal and had sought for refund, and the same is pending adjudication before the Competent Authority. In that aspect, he would submit that there is no triable issues. Hence, he seeks dismissal of these Revisions.

6. I have considered the submissions of either counsels appearing on either side.

7. The claim of the petitioners is that one J.Shamlal had advanced loan at the request of the petitioners in whose favour they had executed blank promissory notes and issued blank cheques. According to them, they had repaid the amounts to the said J.Shamlal, but he had not returned the blank promissory notes and cheques and therefore, the issues would have to be tried.

8. The respondents had contested the claim by placing on record the Original Petition filed under the provisions of the Tamil Nadu Prohibition of Charging the Exorbitant Interest Act before the designated Court. A reading of the same would indicate that the petitioners had made a claim that they had approached one J.Shamlal in need of money, and had issued blank cheques and executed promissory notes. They had also pleaded that the cheques that were issued for passing of consideration of the promissory notes, were issued by different persons other than the said J.Shamlal, and they had also been informed that the consideration under the pro-notes are being disbursed by his family



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9. With these admissions made before a designated Court, this Court do not find that there are triable issues, which could be tried, and for that reason, this Court do not find any material infirmity in the orders impugned in these revisions.

10. Accordingly, these Civil Revision Petitions stand dismissed. No order as to costs. Consequently, connected Miscellaneous Petitions are closed.

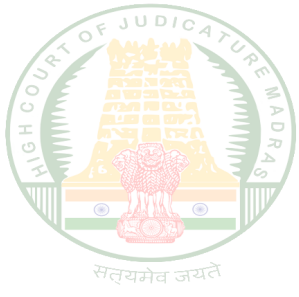
05-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

Maya

To

The XII Assistant Judge, City Civil Court, Chennai.



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1143, 1144, 1055, 1056 & 1057 of 2016



K.KUMARESH BABU, J.

Maya

**CRP Nos. 885, 886, 1224, 1225, 1226, 1142,
1143, 1144, 1055, 1056 & 1057 of 2016**

05-06-2026